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The Kraft Heinz Company

13 (additional parties on signature page)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

18 AARON CLARKE and MICHELLE DEVERA,
19 individually and on behalf of all others similarly
situated.

Case No. 3:21-cv-02437-RS

The Honorable Richard Seeborg

**STIPULATION AND ORDER TO
CONTINUE CASE MANAGEMENT
CONFERENCE**

Plaintiffs.

V.

THE KRAFT HEINZ COMPANY.

Defendant.

1 WHEREAS:

2 1. On June 22, 2021, Kraft Heinz filed a motion to transfer venue of this action to the Northern
3 District of Illinois, which is fully briefed and under submission;

4 2. On June 29, 2021, this Court scheduled an initial Case Management Conference on
5 September 16, 2021 and directed the parties to file an initial Case Management Conference Statement on
6 or before September 9, 2021;

7 3. Because Kraft Heinz's motion to transfer is pending, and because Kraft Heinz's deadline to
8 file a responsive pleading is stayed pending the disposition of its motion to transfer, the parties agree that
9 it would conserve the resources of the parties and the Court to continue the September 16 Case
10 Management Conference until a date following the ruling on the motion to transfer;

11 4. This is the parties' first request for a continuance of the September 16 Case Management
12 Conference;

13 5. The extensions provided by this Stipulation will not affect any dates set by Court order, and
14 the parties agree that this stipulation is not for the purpose of delay;

15 NOW, THEREFORE, IT IS STIPULATED AND AGREED, subject to the Court's approval, that
16 the Case Management Conference be continued to **October 28, 2021 at 10:00 am.** Joint Case
17 Management Statement due **October 21, 2021.**

19 IT IS SO STIPULATED AND AGREED:

21 Dated: September 3, 2021

JENNER & BLOCK LLP

22 By: _____ /s/ Alexander M. Smith
23 Alexander M. Smith

24 Attorneys for Defendant
25 The Kraft Heinz Company

26 (continued on following page . . .)

1 Dated: September 3, 2021

BURSOR & FISHER, P.A.¹

2 By: _____ /s/ L. Timothy Fisher
3 L. Timothy Fisher

4 Attorneys for Plaintiffs
5 Aaron Clarke & Michelle DeVera

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8 PURSUANT TO STIPULATION, IT IS SO ORDERED:

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11 Dated: September 3, 2021

12 By: 
The Honorable Richard Seeborg
United States District Judge

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27 ¹ Pursuant to Civil Local Rule 5-1(i)(3), I, Alexander M. Smith, hereby attest that concurrence in the filing
28 of this document has been obtained from L. Timothy Fisher, counsel for Plaintiffs Aaron Clarke and
Michelle DeVera.